

MESSAGE NO: 1091301 MESSAGE DATE: 04/01/2011

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 76 FR 9542 FR CITE DATE: 02/18/2011

REFERENCE 9280205, 1056301
MESSAGE #
(s):

CASE #(s): A-201-822

EFFECTIVE DATE: 02/18/2011 COURT CASE #:

PERIOD OF REVIEW: 07/01/2008 TO 06/30/2009

PERIOD COVERED: 07/01/2008 TO 06/30/2009

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO FOR THE PERIOD 07/01/2008 THROUGH 06/30/2009 (A-201-822)

1. THE PENDING BI-NATIONAL PANEL REVIEW, REFERENCED IN CUSTOMS MESSAGE NUMBER 1056301 (02/25/2011), IS APPLICABLE TO THE ENTRIES OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO PRODUCED AND EXPORTED BY THYSSENKRUPP MEXINOX S.A. DE C.V. DURING THE PERIOD 07/01/2008 THROUGH 06/30/2009. IN ACCORDANCE WITH CUSTOMS MESSAGE NUMBER 1056301 (02/25/2011), DO NOT LIQUIDATE ENTRIES OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO PRODUCED AND EXPORTED BY THYSSENKRUPP MEXINOX S.A. DE C.V., AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/01/2008 THROUGH 06/30/2009.

2. FOR ALL SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO PRODUCED BY ENTITIES OTHER THAN THYSSENKRUPP MEXINOX S.A. DE C.V. AND EXPORTED BY THYSSENKRUPP MEXINOX S.A. DE C.V., ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/01/2008 THROUGH 06/30/2009, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE OF 30.69 PERCENT FOR STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO. SUCH ENTRIES MAY HAVE ENTERED UNDER CASE NUMBER A-201-822-001.

3. FOR ALL SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO PRODUCED BY THYSSENKRUPP MEXINOX S.A. DE C.V. AND EXPORTED BY ENTITIES OTHER THAN THYSSENKRUPP MEXINOX S.A. DE C.V., ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/01/2008 THROUGH 06/30/2009, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE OF 30.69 PERCENT. SUCH ENTRIES MAY HAVE ENTERED UNDER CASE NUMBER A-201-822-001.

4. ENTRIES REFERENCED IN PARAGRAPHS ONE, TWO, AND THREE ABOVE PERTAIN TO SHIPMENTS INVOLVING THYSSENKRUPP MEXINOX S.A. DE C.V. FOR ALL SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO ENTERED, OR

WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/01/2008 THROUGH 06/30/2009, AND NOT COVERED BY PARAGRAPHS ONE, TWO, AND THREE ABOVE, SEE MESSAGE NUMBER 9280205 (10/07/2009).

5. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 07/01/2008 THROUGH 06/30/2009 OCCURRED WITH THE PUBLICATION OF THE AMENDED FINAL RESULTS OF ADMINISTRATIVE REVIEW (76 FR 9542, 02/18/2011). FOR ALL OTHER SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM MEXICO YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION (CBP) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR

RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION,
INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202)
482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O7:BD).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party